



**R20-63**

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS  
EXTENDING AND RE-ESTABLISHING THE MONO COUNTY  
SOLID WASTE FEE PROGRAM FOR FISCAL YEAR 2020-2021**

**WHEREAS**, pursuant to Section 25830 of the Government Code, on or before the first day of July of each year, the Board of Supervisors may by resolution or ordinance establish a schedule of fees to be imposed upon lands within the County in order to pay for County waste disposal and related services; and

**WHEREAS**, in past years, Mono County has imposed and collected a schedule of fees consistent with the requirements of Section 25830 of the Government Code, against both unincorporated land in the County and, with the agreement and consent of the Town Council of the Town of Mammoth Lakes, against land in the Town of Mammoth Lakes; and

**WHEREAS**, the Board of Supervisors intends by this resolution to simply extend such existing fees and not to impose any new or increased fees that would be subject to Proposition 218.

**NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND FOUND** by the Mono County Board of Supervisors as follows:

**SECTION ONE:** The program and schedule of solid waste fees imposed by Resolution No. R17-52 is hereby re-established and extended, effective July 1, 2020, against land within the County of Mono, including land within the Town of Mammoth Lakes, pursuant to the SOLID WASTE FEE AGREEMENT WITH THE TOWN OF MAMMOTH LAKES FOR FISCAL YEARS 2015-2016 THROUGH FISCAL YEAR 2019-2020.

**SECTION TWO:** Each parcel of land and each of the various waste-generating uses on each parcel in the County of Mono shall be identified.

**SECTION THREE:** The "residential equivalent" for determination of the fee on lands containing a single-family dwelling is hereby established as one (1.00). Each parcel or each waste-generating use on each parcel, or both (as identified herein), shall be accorded the appropriate "residential equivalent" on the basis of "Schedule A," attached hereto and entitled

1 "Solid Waste Generation Factors for Selected Land Uses." "Schedule A" is incorporated herein  
2 by this reference as if fully set forth and is made a part of the program established by this  
3 Resolution.

4 **SECTION FOUR:** Annual fees shall be charged to the identified lands or uses based  
5 on Sixty and NO/100 Dollars (\$60.00) for each "residential equivalent."

6 **SECTION FIVE:** The Mono County "Solid Waste Fee Program" shall be administered  
7 and operated in accordance with the following policies:

8  
9 A. General Provisions.

- 10 (1) There shall be only one fee for each waste-generating use on a parcel of  
11 property. For example, if the landowner is assessed for all uses on his  
12 parcel, the individual waste generating persons or entities using that  
13 parcel shall not be assessed.  
14 (2) Unless the Public Works Director determines that it is fair and equitable  
15 to impose a fee on individual persons or entities generating waste on a  
16 parcel, the landowner shall be charged the full amount due as a result of  
such waste generation.

17 B. Residential Uses.

- 18 (1) Each owner of a single-family residence shall pay a fee calculated at the  
19 rate of "one residential unit" or sixty dollars (\$60.00) per year.  
20 (2) If it is established that the residence is used fewer than 90 days each year,  
21 the owner shall be charged a fee at the rate of one-fourth (0.25) of a  
22 "residential unit," or fifteen dollars (\$15.00) per year. If it is established  
23 that the residence is used six months or less, but more than three months,  
24 the owner shall be charged a fee at the rate of one-half (0.5) of a  
"residential unit," or thirty dollars (\$30.00) per year.  
25 (3) Mobile homes and individual units in apartments and condominiums shall  
26 be charged a fee in accordance with "Schedule A" and Section 5.B.2 of  
this Resolution.  
27 (4) The minimum fee for residential use shall not be less than one-fourth the  
28 yearly rate for a "residential unit," or fifteen dollars (\$15.00) per year.

29 C. Other Uses.

- 30 (1) Motels, Hotels, Lodges, and Campgrounds shall be charged a fee in  
31 accordance with a factor established by the "residential equivalent"  
32

1 assigned in "Schedule A." Occupancy rate and months open for business  
2 may be taken into consideration.

- 3 (2) Ranches and/or farms that dispose their waste on-site, in accordance with  
4 Mono County Health Department approvals, shall not be charged a fee.
- 5 (3) Except as specified or clarified in Section 5.D, all other uses shall be  
6 charged a fee on the basis of the "residential equivalent factor" as set forth  
7 in this Resolution and "Schedule A."

8 D. Multiple or Complex Uses.

- 9 (1) Except as "Schedule A" may specifically assign a "residential equivalent  
10 factor" for the entire use (e.g., ski base lodge), where a single business  
11 entity operates or leases more than one type of waste generating business  
12 or use in a single building, the owner of the land or business shall be  
13 charged a fee on the basis of the use which has the highest "residential  
14 equivalent factor" and the assessment shall be the total thereof.
- 15 (2) Except as "Schedule A" may specifically assign a "residential equivalent  
16 factor" to the entire use (e.g., shopping center), where individual waste  
17 generating entities operate in more than one building on one or more  
18 parcels, each waste generating use shall be assigned the highest  
19 "residential equivalent factor" and the fee shall be the total thereof.

20 E. There shall be no fee on unimproved parcels where waste is not generated.

21 F. There shall be no fee for Special Districts of the County that receive less than  
22 six-tenths of one percent (0.6%) of the countywide property tax allocation.

23 G. Billing and Collection.

- 24 (1) The Public Works Director shall establish the appropriate fee. The  
25 billings for fees shall be based on the ownership status and uses of each  
26 parcel as of the first day of March preceding the fiscal year for which the  
27 fee is charged.
- 28 (2) The Mono County Treasurer-Tax Collector shall collect fee payments  
29 through the property tax billing system or, for properties not otherwise  
30 receiving a tax bill, the Public Works Department may bill for and collect  
31 fee payments by invoice.

32 H. Appeals.

- (1) A property or business entity who or which has reason to believe that  
there should be no fee, that the "residential equivalent factor" has been

1 improperly determined, or that the amount of the fee has been incorrectly  
2 calculated, may request the appropriate changes by notifying the Public  
3 Works Director in writing of the request no later than 60 days following  
4 the date of billing.

5 (2) The Public Works Director shall, within 20 days following receipt of the  
6 written request, review the facts presented and certified to by the property  
7 owner or business entity and grant or deny the request. If the request is  
8 granted, the Public Works Director shall prepare an appropriately  
9 modified billing, if necessary. Modified billings shall be due and payable  
10 no later than 60 days following the billing date.

11 (3) A property owner or business entity whose request pursuant to Section  
12 5.H.1 is denied by the Public Works Director shall have the right to appeal  
13 that decision to the Board of Supervisors. The request for hearing shall  
14 be submitted to the Clerk of the Board of Supervisors within 30 days from  
15 the date of the denial notice from the Public Works Director.

16 (4) The Board of Supervisors shall fix a time, date, and place for the hearing  
17 of any such appeal. The Board of Supervisors shall cause notice of the  
18 hearing to be mailed to the applicant not less than 10 days prior to the  
19 date set for hearing. At the hearing, the Board of Supervisors or its  
20 selected member(s) shall hear the applicant and, within five days, order  
21 such revision or correction to the fee as the Board deems just, if any.

22 I. Delinquent Fees.

23 (1) The Public Works Director shall prepare a list of solid waste fees for each  
24 respective parcel which remain unpaid for a period of 60 or more days  
25 after the date upon which they were billed. A certified copy of the  
26 confirmed list shall be filed with the Mono County Auditor-Controller.

27 (2) The delinquent solid waste fees set forth in the list shall constitute special  
28 assessments against the respective parcels of land and, upon recordation  
29 in the office of the County Recorder, are a lien on the property in the  
30 amount of the delinquent fees as provided in Government Code section  
31 25831. The assessments may be collected at the same time and in the  
32 same manner as ordinary county ad valorem property taxes are collected  
and shall be subject to the same penalties and the same procedure and sale  
in case of delinquency as provided for those taxes. All laws applicable to  
the levy, collection, and enforcement of county ad valorem property taxes  
shall be applicable to the assessment, except as provided by subdivision  
(d) of Government Code section 25831.

